

Amendments to the Drawings:

The attached sheets of drawings include changes made to Figs. 2 and 3. The first attached sheet, which includes Figs. 1 and 2, replaces the original sheet including Figs. 1 and 2. In Figure 2, previously omitted element 55 has been added. The second attached sheet, which includes Figs. 3 and 4, replaces the original sheet including Figs. 3 and 4. In Figure 3, previously omitted element 44 has been added.

Attachment: Replacement Sheet

Annotated Sheet Showing Changes

Remarks

This Amendment is submitted in response to the non-final Office Action mailed on April 28, 2006. Claims 1-18 are pending before the Amendment, of which claims 9 and 18 are withdrawn. Claims 1, 2, 6-8, 10, 11, and 15-17 have been amended and claims 4 and 13 have been cancelled. Applicant respectfully submits that this application is in complete condition for allowance and requests reconsideration of the application in this regard.

Drawing Objections

The Office Action contends on page 2 that the “inclined seating surface” set forth in claims 6, 7, 15, and 16 is not shown in the drawings. Applicant has amended claims 6 and 15 to clarify that the inclined seating surface is on the insert flange, not the hub flange. The seating surface of the insert flange 42 of insert 14 is labeled with reference numeral 44 in Fig. 2. For purposes of clarity, Applicant has also amended Fig. 3 in conformance with Fig. 2 and the written description to add the reference numeral 44 for purposes of labeling the seating surface.

The Office Action contends on page 2 that the “filled material” set forth in claims 8 and 17 is not shown in the drawings. Applicant has amended Fig. 2 to add reference numeral “55” to identify the “filled material.” Applicant submits that no “new matter” has been added by this amendment to Fig. 2.

Accordingly, Applicant requests that the Examiner withdraw the drawing objections.

Disclosure Objections

The Office Action contends on page 3 that the “inclined seating surface” set forth in

claims 6, 7, 15, and 16 is not designated with a reference numeral in the disclosure. As mentioned above, Applicant has amended claims 6 and 15 to clarify that the inclined seating surface is on the insert flange, not the hub flange. The seating surface of flange 42, which is synonymous with lip 44 labeled in Fig. 2 with reference numeral 44, is described in the Applicant's specification in the paragraph beginning at page 8, line 7.

The Office Action contends on page 3 that the "filled material" set forth in claims 8 and 17 is not designated with a reference numeral in the disclosure. Applicant has amended the specification by adding reference numeral "55" to conform the written description and drawings. Applicant submits that no "new matter" has been added by this amendment to the written description.

Accordingly, Applicant requests that the Examiner withdraw the disclosure objections.

Claim Objection

Claims 7 and 16 have been amended to correct the informality noted on page 3 of the Office Action. Applicant requests that the claim objection be withdrawn.

Specification Objection

The specification stands objected to as failing to provide proper antecedent basis for subject matter claimed in claims 2 and 11. Applicant has amended claims 2 and 11 in a manner believed sufficient to overcome the claim objection.

Rejections under 35 USC § 112, 2nd Paragraph

Claims 1-8 and 10-17 stand rejected under 35 USC § 112, 2nd Paragraph as being indefinite. Applicant has amended claims 1 and 10 to rephrase the term “mountable” and to eliminate the term “accessible.” Claims 6 and 15 have been amended to clarify that the rim and seating surface are features of the insert flange, not the hub flange.

Applicant requests that the Examiner withdraw the rejection.

Rejections under 35 USC § 102

Claims 1, 5, and 8 over Wells

Claims 1, 5, and 8 stand rejected under 35 U.S.C. § 102(b) as anticipated by U.S. Patent No. 3,200,665 to Wells (hereinafter *Wells*). Applicant has amended independent claim 1 to incorporate the subject matter of original dependent claim 4, which is not subject to the rejection. Accordingly, Applicant requests that the rejection be withdrawn.

Claims 1 and 10 over Nichols

Claims 1 and 10 stand rejected under 35 U.S.C. § 102(e) as anticipated by U.S. Patent No. 6,875,113 to Nichols (hereinafter *Nichols*). Applicant has amended independent claims 1 and 10 to incorporate the subject matter of original dependent claims 4 and 13, respectively, which are not subject to the rejection. Accordingly, Applicant requests that the Examiner withdraw the rejection.

Rejections under 35 USC § 103

Claims 1-8 and 10-17 over Nichols

Claims 1-8 and 10-17 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over *Nichols*. The '954 application and U.S. Patent No. 6,875,113 were, at the time the invention of the '954 application was made, owned by EaglePicher Incorporated. The executed assignment document for U.S. Patent No. 6,875,113 is recorded at Reel 012214, Frame 0944 (corrected for an ownership name change from Eagle-Picher Industries, Inc. to EaglePicher Incorporated at Reel 017025, Frame 0648). The executed assignment document for the '954 application is recorded at Reel 014480, Frame 0037. Consequently, *Nichols* is disqualified from being used in a rejection under 35 U.S.C. §103(a) against the claims of the '954 application by virtue of 35 U.S.C. §103(c). Applicants therefore request that this rejection be withdrawn.

Claims 2-4, 6, 7, and 10-17 over Wells in view of Nichols

Claims 2-4, 6, 7, and 10-17 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over *Wells* in view of *Nichols*. For reasons stated above, *Nichols* is disqualified from being used in a rejection under 35 U.S.C. §103(a) against the claims of the '954 application by virtue of 35 U.S.C. §103(c). Applicants therefore request that this rejection be withdrawn.

Claim 10 over Wells in view of Hendrian

Claim 10 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over *Wells* in view of U.S. Patent No. 6,216,327 to Hendrian (hereinafter *Hendrian*). Independent claim 10 has been amended to add the subject matter of original dependent claim 13, which is not subject to the rejection. Accordingly, Applicant requests that the Examiner withdraw the rejection.

Rejection of Claims Under Obviousness-Type Double Patenting

Claims 1 and 10 stand rejected under obviousness-type double patenting as being unpatentable over claims 1, 7, 9, and 14 of *Nichols*. Applicant has amended independent claim 1 to add the subject matter of dependent claim 4 and independent claim 10 to add the subject matter of dependent claim 13. Neither dependent claim 4 nor dependent claim 13 was subject to the rejection. Accordingly, Applicant respectfully requests that the Examiner withdraw the rejection.

Conclusion

Applicant has made a bona fide effort to respond to each and every requirement set forth in the Office Action. In view of the foregoing remarks, this application is submitted to be in complete condition for allowance and, accordingly, a timely notice of allowance to this effect is earnestly solicited. If there is any additional matter that may be resolved by telephone or fax, the Examiner is invited to contact the undersigned to expedite issuance of this application.

Applicant does not believe that any fees are due in connection with this submission. However, if such petition is due or any fees are necessary, the Commissioner may consider this to be a request for such and charge any necessary fees to deposit account 23-3000.

Respectfully submitted,
WOOD, HERRON & EVANS, L.L.P.

/William R. Allen/
William R. Allen, Reg. No. 48,389

2700 Carew Tower
441 Vine Street
Cincinnati, OH 45202
(513) 241-2324 (voice)
(513) 421-7269 (facsimile)

Attachments